

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

East Coast Test Prep, LLC, d/b/a Achieve Test
Prep, and Mark Olynyk,

Case No. 15-cv-3705 (JRT/SER)

Plaintiffs,

v.

REPORT AND RECOMMENDATION

Allnurses.com, Inc.; ABC Companies 1–10;
John Does 1–10; David R. Smits, as
Administrator of the Estate of Brian Short;
Lisa Dukes; Jennifer Moeller; and Uhura Russ,

Defendants.

Paul A. Grote, Esq., Riezman Berger, P.C., St. Louis, Missouri, for Plaintiffs.

Richard L. Ravin, Esq., Hartman & Winnicki, P.C., Ridgewood, New Jersey, for
Plaintiffs.

James J. Kretsch, Jr. and John D. Reddall, Esqs., Kretsch Law Office, PLLC, Lakeville,
Minnesota, for Defendants Allnurses.com, Inc.; David R. Smits, as Administrator of the Estate of
Brian Short; and Lisa Dukes.

Justin Taylor Quinn and Keith John Miller, Esqs., Robinson Miller LLC, Newark, New
Jersey, for Defendants Allnurses.com, Inc.; David R. Smits, as Administrator of the Estate of
Brian Short; and Lisa Dukes.

Jennifer Moeller, Pro Se, Mesa, Arizona.

Uhura Russ, Pro Se, Philadelphia, Pennsylvania.

STEVEN E. RAU, United States Magistrate Judge

The above-captioned case comes before the undersigned on Defendant Jennifer Moeller's
Motion for Dismissal Based on Lack of Personal Jurisdiction ("Motion to Dismiss") [Doc. No.
350]. This matter has been referred for the resolution of pretrial matters pursuant to 28 U.S.C.

§ 636(b)(1) and District of Minnesota Local Rule 72.1. (Order of Reference Dated July 17, 2017) [Doc. No. 376]. Plaintiffs did not file a response to the Motion to Dismiss. The Court held oral argument on August 22, 2017, during which counsel for Plaintiffs represented that Plaintiffs do not object to the Motion to Dismiss. *See* (Minute Entry Dated Aug. 22, 2017) [Doc. No. 407].

Based on the files, records, and proceedings herein, **IT IS HEREBY RECOMMENDED** that Defendant Jennifer Moeller's Motion for Dismissal Based on Lack of Personal Jurisdiction [Doc. No. 350] be **GRANTED**.

Dated: August 23, 2017

s/Steven E. Rau
STEVEN E. RAU
United States Magistrate Judge

Notice

Filing Objections: This Report and Recommendation is not an order or judgment of the District Court and is therefore, not appealable directly to the Eighth Circuit Court of Appeals.

Under D. Minn. LR 72.2(b)(1) "a party may file and serve specific written objections to a magistrate judge's proposed findings and recommendations within 14 days after being served a copy" of the Report and Recommendation. A party may respond to those objections within 14 days after being served a copy of the objections. LR 72.2(b)(2). All objections and responses must comply with the word or line limits set forth in LR 72.2(c).